

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JASON LEE VAN DYKE	§	
Plaintiff	§	
	§	
v.	§	Case No. 4:18cv247
	§	
THOMAS CHRISTOPHER RETZLAFF	§	
a/k/a Dean Anderson d/b/a BV Files, Via	§	
View Files L.L.C., and ViaView Files	§	
Defendant	§	

ORDER

After considering the Joint Motion for Clarifying Order filed by the parties, the Court now makes the following order:

[____] IT IS HEREBY ORDERED that the parties may immediately begin discovery in this case. It is FURTHER ORDERED that Defendant shall tender its Rule 26 disclosures, together with any other disclosure mandated by the prior orders of this Court, to Plaintiff on or prior to the 30th day after the date of this order.

[____] IT IS HEREBY ORDERED that, pursuant to Rule 26(d)(1), discovery in this case is stayed until such a time as this Court has considered and ruled on Defendant's Motion to Dismiss under the Texas Citizens Participation Act. Defendant's obligation to tender Rule 26 disclosures to Plaintiff is stayed until further order from this Court.

It is FURTHER ORDERED that this order does not constitute a final determination by this Court concerning the applicability of the Texas Citizens Participation Act in federal court.